

REMARKS

Claims 15-36 are pending in the application. Claims 15, 27, 28, 34, and 35 have been amended. Page 7, lines 7-17 of the specification, for example, teach the elements of amended Claims 15, 28, 34, and 35. No new matter has been added by the amendments.

Claim Rejections – 35 U.S.C. 112

Claims 27 and 35 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 27 and 35 have been amended to overcome the rejections. Applicant respectfully requests that these rejections be withdrawn.

Claim Rejections – 35 U.S.C. 102

Claims 15-25 and 28-34 stand rejected under 35 U.S.C. 102(e) as being anticipated by Skaaning et al., U.S. Patent No. 6,535,865 (hereinafter “Skaaning”). Applicant respectfully traverses the rejections because Skaaning fails to disclose each and every element of Claims 15-25 and 28-34.

To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), *cert. denied*, 484 U.S. 1007 (1988).

Claim 15 recites “A system for diagnosing a fault, the system comprising: a knowledge base including a plurality of fault diagnoses and fault symptom queries, wherein each said fault symptom query includes potential responses and images that correspond to the potential responses; a decision tree module including a decision tree having a plurality of decision points each corresponding to one of the fault symptom queries and a plurality of resolution points each corresponding to one of the fault diagnoses, wherein each said potential response in the decision tree indicates one of the decision points or one of the resolution points and one of said decision points is identified as a starting decision point; and a user interface module in communication with said decision tree module, said knowledge base and a user access device, said user interface module including instructions to implement a method comprising: designating the starting decision point as the next decision point; transmitting the fault symptom query corresponding to the next decision point to the user access device; receiving a reply including one of the potential responses; continuing said

transmitting the fault symptom query and receiving a reply until said one of the potential responses indicates one of the resolution points, wherein if said one of the potential responses indicates one of the decision points then said one of the decision points is designated as the next decision point; transmitting the fault diagnosis corresponding to said one of the resolution points to the user access device; and receiving all of the resolution points and comparing the fault diagnoses to illustrative images associated with each of the resolution points in order to traverse the decision tree.” (Emphasis Added).

Skaaning fails to disclose at least the element “receiving all of the resolution points and comparing the fault diagnoses to illustrative images associated with each of the resolution points in order to traverse the decision tree”, as recited in amended Claim 15. Accordingly, Skaaning does not anticipate Claim 15 because it fails to disclose each and every element of Claim 15. Claims 16-25 depend from Claim 15, and thus are believed to be allowable at least due to their dependency on Claim 15.

Claim 28 as amended includes the element “receiving all of the resolution points and comparing the fault diagnoses to illustrative images associated with each of the resolution points in order to traverse the decision tree”, and thus is patentable over Skaaning for at least the reasons given above for Claim 15. Claims 29-33 depend from Claim 28, and thus are believed to be allowable at least due to their dependency on Claim 28.

Claim 34 as amended includes the element “receiving all of the resolution points and comparing the fault diagnoses to illustrative images associated with each of the resolution points in order to traverse the decision tree”, and thus is patentable over Skaaning for at least the reasons given above for Claim 15.

Claim Rejections – 35 U.S.C. 103

Claims 26-27 and 35-36 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Skaaning, in view of Buenzli, Jr. et al., U.S. Patent No. 5,157,668 (hereinafter “Buenzli”). Applicant respectfully traverses the rejections because Skaaning in view of Buenzli fails to teach or suggest all of the elements of Claims 15 and 35.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled

artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970).

As described above, Skaaning fails to teach or suggest at least the element “receiving all of the resolution points and comparing the fault diagnoses to illustrative images associated with each of the resolution points in order to traverse the decision tree”, as recited in Claim 15 from which Claim 26 depends. The addition of Buenzli does not cure this deficiency. Therefore, Skaaning in view of Buenzli does not render Claim 26 obvious because neither Skaaning nor Buenzli, alone or in combination, teach or suggest all of the elements of Claim 26. Claim 27 depends from Claim 26, and thus is believed to be allowable at least due to its dependency on Claim 15.

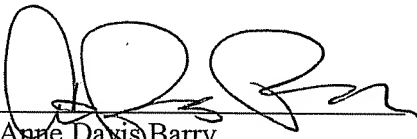
As described above, Skaaning fails to teach or suggest the element “receiving all of the resolution points and comparing the fault diagnoses to illustrative images associated with each of the resolution points in order to traverse the decision tree”, as recited in Claim 35. The addition of Buenzli does not cure this deficiency. Therefore, Skaaning in view of Buenzli does not render Claim 35 obvious because neither Skaaning nor Buenzli, alone or in combination, teach or suggest all of the elements of Claim 35. Claim 36 depends from claim 35, and thus is believed to be allowable at least due to its dependency on Claim 35.

Conclusion

In view of the foregoing remarks, Applicant submits that the above-identified application is in condition for allowance. Early notification to this effect is respectfully requested.

If any issues remain, the Examiner is invited to contact the undersigned at the telephone number below. If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130 maintained by Applicant’s attorneys.

Respectfully submitted,

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SHL-0028
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